

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL JAMES HUNT,

Defendant.

4:21-CR-3105

PRELIMINARY ORDER OF
FORFEITURE

This matter is before the Court on the plaintiff's Motion for Issuance of Preliminary Order of Forfeiture ([filing 64](#)). The superseding indictment in this case ([filing 19](#)) charged the defendant with a violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The indictment also contained a forfeiture allegation seeking the forfeiture, pursuant to § 924(d), 26 U.S.C. § 5872, and 28 U.S.C. § 2461, of any firearms and ammunition involved in the commission of the offense, including but not limited to a Barrett .50 BMG caliber rifle and various calibers of ammunition, on the basis that they were involved in or used in the knowing commission of the crime charged. [Filing 19](#).

The defendant has pled guilty to the crime alleged and admitted the forfeiture allegation. [Filing 60 at 1](#); [filing 65 at 20](#). By virtue of pleading guilty to the charge and admitting the forfeiture allegation, the defendant has forfeited his interest in the property, and the plaintiff should be entitled to possession of the property pursuant to 21 U.S.C. § 853. Therefore, the plaintiff's motion for preliminary order of forfeiture is granted.

IT IS ORDERED:

1. The plaintiff's Motion for Issuance of Preliminary Order of Forfeiture ([filing 64](#)) is granted.

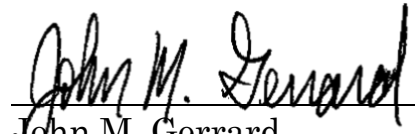
2. The plaintiff is authorized to seize the Barrett .50 BMG caliber rifle and ammunition.
3. The defendant's interests in the property are forfeited to the plaintiff for disposition in accordance with law, subject to the provisions of [18 U.S.C. § 924\(d\)](#), [21 U.S.C. § 853](#), and [28 U.S.C. § 2461\(c\)](#).
4. The property is to be held by the plaintiff in its secure custody and control.
5. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the plaintiff shall publish for at least 30 consecutive days on an official Internet government forfeiture site (www.forfeiture.gov) notice of this order, notice of publication evidencing the plaintiff's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in the property must file a petition with the Court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. Such published notice shall state that the petition referred to in paragraph 5, above, shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the property and any

additional facts supporting the petitioner's claim and relief sought.

7. The plaintiff may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 27th day of December, 2022.

BY THE COURT:



John M. Gerrard
United States District Judge